

REMARKS

This Response is submitted in reply to the non-final Office Action mailed on May 2, 2006. No fee is due in connection with this Response. The Director is authorized to charge any fees which may be required, or to credit any overpayment to Deposit Account No. 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. 112703-203 on the account statement.

Claims 9-26 are pending in this application. Claims 1-8 and 27-34 were previously withdrawn. In the Office Action, Claims 9-26 are rejected under 35 U.S.C. §103 and Claims 9-26 are rejected under obviousness-type double patenting. For the reasons set forth below, Applicants respectfully submit that the rejections should be withdrawn.

In the Office Action, Claims 9-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,949,264 to McGrew et al. ("*McGrew*"). Claims 9-26 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,627,234 to Johnson et al. ("*Johnson*"). Applicants believe these rejections are improper and respectfully traverse them for at least the reasons set forth below.

Applicants respectfully submit that *McGrew* and *Johnson* are not proper references because they are based on the same parent application as the currently pending U.S. Appl. No. 09/990,628. For example, the pending U.S. Appl. No. 09/990,628 is a CIP of U.S. Appl. No. 09/510,878, which is a CIP of U.S. Appl. No. 09/286,818. Similarly, *McGrew* claims priority from U.S. Appl. No. 09/286,818, and *Johnson* claims priority from U.S. Appl. No. 09/286,818. Therefore, Applicants respectfully submit that *McGrew* and *Johnson* should be removed as prior art references for the currently pending application because they all claim priority from the same parent U.S. Appl. No. 09/286,818.

Accordingly, Applicants respectfully request that the obviousness rejections with respect to Claims 9-26 be reconsidered and the rejections be withdrawn.

In the Office Action, Claims 9-26 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-18 of U.S. Patent No. 6,355,265 and Claims 1-14 of U.S. Patent No. 6,773,716. Submitted with this response is a Terminal Disclaimer disclaiming the terminal part of any patent granted on the pending application extending beyond the expiration date of the following U.S. Patent Nos. 6,355,265 and 6,773,716.

Accordingly, Applicants respectfully request that the provisional rejections of Claims 9-26 under obviousness-type double patenting be withdrawn.

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same.

Respectfully submitted,

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